

these materials, the Commissioner is hereby authorized to deduct said fees from Fulbright & Jaworski Deposit Account No. 50-1212/AMBI:055.

## I. AMENDMENT

### A. *In the specification:*

(i) Please replace the paragraph beginning at the bottom of page <sup>27</sup>~~26~~ and extending through the top of page <sup>30</sup>~~27~~, which begins "The nucleotide and protein, polypeptide and peptide sequences for various genes have been previously disclosed..." with the following paragraph:

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AI --The nucleotide and protein, polypeptide and peptide sequences for various genes have been previously disclosed. In certain embodiments, the template or primer sequence may be obtained from a public source, such as, for example, a computerized database known to those of ordinary skill in the art. One such database is the National Center for Biotechnology Information's Genbank and GenPept databases. The coding regions for these known genes may be amplified and/or expressed using the techniques disclosed herein or by any technique that would be known to those of ordinary skill in the art. In certain embodiments, the primer may be a degenerate primer designed based on a peptide sequence, as would be known to one of ordinary skill in the art. --

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(ii) Please replace the second paragraph of page 56, which begins "Host cells may be derived from prokaryotes or eukaryotes..." with the following paragraph:

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A2 -- Host cells may be derived from prokaryotes or eukaryotes, depending upon whether the desired result is replication of the vector or expression of part or all of the vector-encoded

AA  
CD 0.4  
nucleic acid sequences. Numerous cell lines and cultures are available for use as a host cell, as would be known to one of ordinary skill in the art, such as those, for example, that can be obtained through the American Type Culture Collection (ATCC), which is an organization that serves as an archive for living cultures and genetic materials. An appropriate host can be determined by one of skill in the art based on the vector backbone and the desired result.—

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Marked copies of the amended paragraphs are provided in Appendix A to this response.

**B. In the claims:**

Please cancel without prejudice or disclaimer claims 8 and 20.

Please amend the claims as follows:

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1. (Amended) A method for creating a nucleic acid comprising the steps of:
- (a) annealing a defined primer nucleic acid to at least one first single stranded template nucleic acid,
  - (b) performing a first extension by extending the primer nucleic acid employing the first template nucleic acid to form an extended nucleic acid,
  - 123 (c) denaturing the extended nucleic acid from the first template nucleic acid,
  - (d) annealing the extended nucleic acid to at least a second single stranded template nucleic acid whose sequence is not identical to the first template nucleic acid,
  - (e) performing a second extension by extending the extended nucleic acid employing the second template nucleic acid to form a twice extended nucleic acid,
  - (f) adding at least one chain-terminating agent comprising at least one dideoxynucleotide, a dideoxynucleotide analog or a dideoxynucleotide derivative before